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SUBJECT: US Sponsored IPR Conference Raises
Public Awareness in Bangladesh

REF: DHAKA 02367

Summary:

1. Post organized a two-day IPR conference on July 20-21 to create public support for protection of intellectual property rights. The Conference, which centered on the visit of a USPTO attorney and IPR law professor, generated significant positive media attention and raised public awareness of the impact of IPR violations on Bangladeshi rights holders. In response to requests from private and public groups for more Embassy events in this area, Post plans to organize a core IPR group to continue our public awareness campaign and maintain pressure on the BDG to take necessary steps to strengthen laws, regulations and enforcement mechanisms.

The IPR Conference

2. Post organized a USPTO-sponsored two-day IPR conference, with the American Chamber of Commerce, North South University and a local film exhibitor. The conference took advantage of the visit of Professor William Hennessey from the Franklin Pierce Law Center and Timothy Browning, USPTO Attorney-Advisor to present US views. The two-day conference included an opening ceremony, two seminars, one university lecture, and a press event. In a rare show of unanimous support, all four invited ministers attended the events and enthusiastically supported our efforts. The seminars' round-table discussions were attended by all relevant stakeholders including the academics, IPR lawyers and judges, ICT associations, publishers, librarians, NGOs, BDG officials, scientists, inventors, developers and celebrities from the entertainment industry. The conference was widely covered by all local electronic and print media sources. Post was successful in ensuring that coverage was focused on local inventors and artists who stressed the need for protecting local IP rights and did not get sidetracked in debates over rights of large multinationals.

Opening Ceremony

3. The opening ceremony was attended by over 150 guests from all organizations, corporations, associations and BDG agencies involved in intellectual property rights issues. Minister for Industries Matiur Rahman Nizami, who holds the Trademark and Patent portfolio, attended as chief guest and lauded our efforts. He reiterated the BDG's commitment to move forward with Patent and Trademark law revisions, which are currently being translated and vetted through various Law Ministry committees. State Minister for Cultural affairs Begum Selima Rahman, responsible for the copyright office, attended as special guest. She cited the recent passage of the new Copyright Act, which complies with WIPO standards, and stressed her commitment to move forward with implementing regulations and stronger enforcement tools.

4. Bangladesh's most prominent singer Runa Lila, in her brief remarks, stressed the need for stronger enforcement to protect rights of local artists. A young Bangladeshi software developer, who developed the first Bangladeshi

video game, called Dhaka Racing, spoke about how he spent twice as much time developing security features for his product as he did developing the game. His impassioned remarks in the Opening Ceremony and in the ICT seminar sparked significant interest among BDG officials, business groups and the media. The president of the IPR Lawyers Association advocated stronger implementing regulations for existing IPR laws. CDA Judith Chammas reiterated the need for stronger IPR laws, regulations and implementation to create an environment suitable for developing local talent and attracting foreign investment.

Protection of ICT Sector: Copyright, Patent and Trademark

15. The Information and Communication Technology (ICT) Minister, Dr. Moyeen Khan, served as the chief guest for this seminar and spoke extensively on issues relevant to development in this sector. Members of the Bangladesh Computer Association, Bangladesh Association of Software and Information Services, ISP Association, Library Association, Publishers Association, software developers, rights holders, IT professionals and government officials attended this seminar. The Additional Secretary for Law and Parliamentary Affairs, Mr. Habibul Awal, who was the head of the committee that drafted the new ICT and trademark laws, also spoke at the seminar. He emphasized his ministry's commitment to improving the legal environment for protecting IPR. He said that the ministry is doing its best to expedite the Trademark and Patent laws that are currently in review in the Law Ministry. (See Reftel).

16. Robust discussions focused on the need for new reforms and raising awareness in the general public. Although most participants argued for the need for increased protection against software and other piracy, many industry professionals defended piracy as a necessary evil for developing a struggling economy. This seminar highlighted the need for basic awareness-raising among not just the general public but also among so-called business leaders and professionals. The discussions, exchange of views and question-answer session with our U.S. experts and others went well.

Capacity Building for IPR Professionals

17. Law Minister Moudud Ahmed attended this seminar as Chief Guest and was bombarded with questions, complaints and comments regarding the lack of enforcement and inefficient legal procedures in the IPR arena. Representatives of the legal community, including the former attorney general, Supreme Court judges, academics and NGOs attended and actively engaged in discussions. Participants agreed that although current and proposed laws comply with international standards, stronger regulations and enforcement is essential to protect against piracy. Lawyers urged the Minister to allocate resources to developing and training government officials in this area. PTO attorney Timothy Browning led the discussion on need for training and technical assistance for adequately equipping the various BDG IPR offices.

Protecting Film, Music and Print Media - NSU lecture

18. This lecture, hosted by North South University (NSU), the most prominent private university in Bangladesh, attracted larger-than-expected crowds and brought out prominent local music, film and print media celebrities. The President of the University, Professor Mosleh Uddin Ahmed, presided over the two-hour event, targeted at college students. We invited prominent pop stars, movie directors and film stars to lend mass student appeal to this lecture. NSU students, faculty members, and presidents and students from other universities attended the lecture. More than ten national celebrities from the entertainment industry attended and spoke at the lecture. The most respected producer and director of Bangladeshi

films, Chashi Nazrul, spoke eloquently on the need to protect the rights of local artists to ensure that Bangladeshi culture is protected and developed. Pop stars and movie stars spoke of their personal experiences trying to make it in the Bangladeshi entertainment market. Student and media reaction to this event was tremendous and we immediately received numerous requests for more such events.

Meetings with BDG and Chambers; Wrap-up press event

19. During their visit, Hennessey and Browning met with government IPR officials. BDG officials highlighted the recently enacted Copyright law, reviewed by WIPO for compliance with WIPO and TRIPS standards. They also noted the progress they have made in drafting Trademark and Patent laws, also with WIPO's cooperation and assistance. These laws are in the final stages of review, with adoption expected by November. Implementing regulations will be drafted following enactment of the laws. Both offices noted difficulties they faced due to inadequate facilities, equipment and staffing. USPTO representative discussed possible training and technical assistance that could be available and appropriate once the laws and regulations are in place. In the meantime, they encouraged officials to continue to work with the private sector to raise public awareness of the importance of IPR protection. Hennessey and Browning also met with local chambers of commerce active in promoting IPR protection, praising their efforts and encouraging them to make IPR protection part of the internal code of conduct applied to their members.

110. Along with U.S. experts, prominent singers and movie stars attended a Conference wrap-up press event. They sought assistance from all sectors of the Bangladeshi government and public to protect their IP rights. The press event revealed local media confusion over issues related to Intellectual Property. U.S. experts and local celebrities addressed misconceptions and stressed how IPR protection benefits Bangladesh and its local artists and inventors.

Media and BDG Reaction

111. The two-day event was widely and prominently covered by all major national media sources. BDG television station BTV widely covered every seminar and lecture. Newspapers ran various articles on both days, featuring local Bangladeshi involvement in the Conference. Senior-level BDG involvement was also noted favorably. Stories of local artists affected by piracy were widely reported.

112. In response to the first day of seminars, the Ministry of Home Affairs invited several music and movie industry personalities to a meeting to discuss enforcement issues the next day. The Entertainment industry attributed this BDG concession directly to the interest generated by our Conference.

Plans for continuing IPR awareness

113. In the days following the Conference, we have been approached by all interested parties to develop an on-going Public Relations campaign targeted at raising awareness to this issue. Post is currently discussing plans to create a core IPR group of relevant interest parties to unite efforts of various sectors and industry groups. This core IPR group will devise strategies to generate awareness among the citizens and unite lobby efforts with the BDG to address enforcement and legal reform issues.

114. Ideas currently being considered include monthly editorials in major newspapers from prominent writers,

artists, developers, entertainers and lawyers on various IPR issues; quarterly lectures at various universities around Bangladesh modeled after the NSU event to raise awareness among students; and creating an IPR curriculum for business schools that could be included in business law courses.

Chammas